

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**HUAWEI TECHNOLOGIES CO., LTD.,**  
a Chinese corporation, and  
**FUTUREWEI TECHNOLOGIES, INC.,** a  
Texas corporation,

Plaintiffs,  
v.

**YIREN RONNIE HUANG**, an individual, and  
**CNEX LABS, INC.**, a Delaware Corporation,

Defendants.

**No. 4:17-cv-893 ALM**

Jury Trial Demanded

**PLAINTIFFS' NOTICE IN SUPPORT OF PLAINTIFFS' MOTION TO STRIKE THE  
EXPERT REPORTS AND TESTIMONY OF KEITH R. UGONE, PH.D.  
REGARDING DAMAGES**

Plaintiffs Huawei Technologies Co., Ltd. and Futurewei Technologies, Inc. (collectively, “Plaintiffs”) file this notice in support of Plaintiffs’ Motion to Strike the Expert Reports and Testimony of Keith R. Ugone, Ph.D. Regarding Damages. (Dkt. 260)

At the Final Pretrial Conference on May 3, 2019, Plaintiffs advised the Court that we had become aware of a decision issued by Judge Alsup in Northern District of California in which he struck proposed damages testimony by Keith Ugone, who has been offered as Defendants CNEX Labs, Inc. (CNEX”) and Yiren Ronnie Huang’s (“Huang”) damages expert in this case. Plaintiffs sought last week to confirm our understanding and obtain a copy of the opinion, but have been advised that the opinion has been placed under seal, and will remain under seal until the completion of an appeal to the United States Court of Appeals for the Federal Circuit. Plaintiffs are therefore unable to obtain a copy of the opinion.

Plaintiffs respectfully request that Your Honor contact Judge Alsup and obtain a copy of

the opinion directly. Given the confidential nature of the opinion, no party or counsel needs to see the opinion, and Plaintiffs have no interest in seeing it. The case is *Finjan, Inc. v. Juniper Networks, Inc.*, No. 3:17-cv-05659-WHA (N.D. Cal.).

Dated: May 14, 2019

RESPECTFULLY SUBMITTED

By: /s/ Clyde Siebman

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*Attorneys for Huawei Technologies  
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## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on May 14, 2019, to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3).

By: /s/ Clyde Siebman

*Counsel for Huawei Technologies Co., Ltd.  
and Futurewei Technologies, Inc.*